

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ZOE INEZ MAHSEELAH,

Defendant.

CR 22-41-M-DWM

ORDER

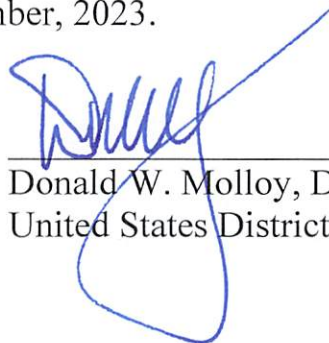
On November 7, 2023, United States Magistrate Judge Kathleen L. DeSoto entered Findings and Recommendations with respect to the disposition of the revocation proceedings stemming from the October 11, 2023 petition for revocation of Defendant Zoe Inez Mahseelah's supervised release. (Doc. 67.) The petition alleged one violation: (1) the failure to refrain from any unlawful use of a controlled substance. At a final revocation hearing held on November 7, 2023, Mahseelah admitted to Violation No. 1. (*See* Doc. 79 at 2; Doc. 78 (Min. Entry).) Based on the admitted violation, Judge DeSoto found that Mahseelah committed the violation alleged in the petition and recommends that supervised release be revoked and that this Court sentence Mahseelah to time served, followed by 36 months of supervised release. (Doc. 79 at 2.)

Judge DeSoto further ordered that Mahseelah be released from custody pending this Court's review of the Findings and Recommendation. Consistent with the Court's "full authority" to review the Findings and Recommendations under any standard it deems appropriate, *Thomas v. Arn*, 474 U.S. 140, 154 (1958), the Court reviews for clear error. Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000). Finding no clear error in Judge DeSoto's conclusion that the defendant violated the conditions of her release in the manner set forth in the petition, and that the defendant's supervision should be revoked, the Court adopts those findings and recommendations. (*See* Doc. 79.)

Accordingly, IT IS ORDERED that Judge DeSoto's Findings and Recommendations, (Doc. 79), are ADOPTED IN FULL.

IT IS FURTHER ORDERED that the defendant's supervised release is revoked. Judgment will be entered by separate document. Upon entry of judgment, the defendant will be released from custody subject to the imposed conditions.

DATED this 7th day of November, 2023.



Donald W. Molloy, District Judge
United States District Court